

Exhibit 6

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF SOUTH CAROLINA
3 COLUMBIA DIVISION
CASE NO. 3:21-CV-03302-MBS-TJH-RMG

4 THE SOUTH CAROLINA STATE CONFERENCE OF
5 THE NAACP, AND TAIWAN SCOTT, ON BEHALF
6 OF HIMSELF AND ALL OTHER SIMILARLY
7 SITUATED PERSONS,

8 Plaintiffs,

9 vs.

10 THOMAS C. ALEXANDER, HENRY D. MCMASTER,
11 IN HIS OFFICIAL CAPACITY AS GOVERNOR OF
12 SOUTH CAROLINA; HARVEY PEELER, IN HIS
13 OFFICIAL CAPACITY AS PRESIDENT OF THE
14 SENATE; LUKE A. RANKIN, IN HIS OFFICIAL
15 CAPACITY AS CHAIRMAN OF THE SENATE
16 JUDICIARY COMMITTEE; JAMES H. LUCAS, IN
17 HIS OFFICIAL CAPACITY AS SPEAKER OF THE
18 HOUSE OF REPRESENTATIVES; CHRIS MURPHY,
19 IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF
THE HOUSE OF REPRESENTATIVES JUDICIARY
COMMITTEE; WALLACE H. JORDAN, IN HIS
OFFICIAL CAPACITY AS CHAIRMAN OF THE
HOUSE OF REPRESENTATIVES ELECTIONS LAW
SUBCOMMITTEE; HOWARD KNABB, IN HIS
OFFICIAL CAPACITY AS INTERIM EXECUTIVE
DIRECTOR OF THE SOUTH CAROLINA STATE
ELECTION COMMISSION; JOHN WELLS, JOANNE
DAY, CLIFFORD J. ELDER, LINDA MCCALL,
AND SCOTT MOSELEY, IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF THE SOUTH
CAROLINA STATE ELECTION COMMISSION,

20 Defendants.

21 DEPOSITION OF: ANDREW THEODORE FIFFICK
(Appearing via VTC)

22 DATE: July 21, 2022

23 TIME: 10:10 a.m.

1 form on pure speculation as to what Andy knows
2 about what others did or didn't do.

3 MS. ADEN: He's been testifying to his
4 awareness of other people's actions for this
5 afternoon.

6 BY MS. ADEN:

7 Q. So I just want to know are you aware
8 one way or the other of whether anyone with
9 training in Maptitude looked at these maps after
10 November 18th and November 24th?

11 MR. TYSON: Same objection.

12 BY MS. ADEN:

13 Q. Please. Are you aware one way or the
14 other? You can answer.

15 A. I was making sure you were totally
16 done.

17 The number of times we talked about it,
18 they would have to be really good liars because
19 after that meeting, I mean, we defended what
20 actually happened. We all looked at each other.
21 We didn't care about those maps.

22 Do I know for a fact that one of those
23 people could have and did go back and look at that
24 map? I think y'all can make that analysis, but I
25 don't see that happening. They had way too much

1 other stuff to do.

2 Q. How many conversations did you have
3 about these three maps after November 24th?

4 A. I don't remember. Not many. Not many.

5 Q. I thought you said you talked about it
6 a number of times.

7 A. I mean, less than three or four to kind
8 of reiterate for ourselves and say, man, that's
9 silly of these people to use these maps. We're not
10 using those. That was the context in which the
11 subsequent conversations were. It was us all
12 agreeing with each other we didn't use them.

13 MS. ADEN: Let's look at what we have
14 marked, Raymond, as tab 82.

15 BY MS. ADEN:

16 Q. It is a third email between Mr. Kincaid
17 and you, Mr. Fiffick, dated November 28th, 2021, at
18 2:47 p.m. Eastern ten days after the first, four
19 days after the second. It's Bates stamped South
20 Carolina Senate 3246.

21 (EXHIBIT 12, Email from Adam Kincaid to
22 Andrew Fiffick dated November 28, 2021, Bates
23 labeled SCSENATE_00003246, was marked for
24 identification.)

25 THE WITNESS: Looks like he tried to

1 share the map with me again, the same map. I don't
2 recall opening it but once that one time. Yeah,
3 it's both Jessamine. It could be that I didn't
4 open that first one and he sent it again or
5 something. I don't remember. I only opened it
6 once.

7 BY MS. ADEN:

8 Q. How do you know if they're the same or
9 different if you only opened --

10 A. I don't. I don't recall opening
11 anything from him twice. I don't recall that. I
12 do know that we have three maps, a Wren, a
13 Palmetto, and a Jessamine. Those have been made
14 available to outside counsel.

15 Q. I'm sorry, one of them was named A and
16 B, and then the third, is it Jessamine is how I'm
17 pronouncing it. Am I pronouncing it --

18 A. It's Jessamine. It's Jessamine. It's
19 a flower. Yeah, it's a flower.

20 And A and B is what he named it in the
21 email, but my recollection was when you actually
22 opened the file, they were called Wren and
23 Palmetto. So when you see them in this book,
24 they're called Wren and Palmetto, I believe.

25 MR. TYSON: Leah, did you -- something

1 is in front of your camera. We can barely see you.

2 MS. ADEN: I think the sun went down
3 and I have to --

4 MR. TYSON: Okay. Okay.

5 MS. ADEN: I will correct it on a
6 break, but if you can see me a little bit better
7 now.

8 MR. TYSON: Yeah. We're good. You're
9 good.

10 BY MS. ADEN:

11 Q. So you clicked on three -- two links,
12 the first from November 18th, the first from
13 November 24th, and you did not click on a third
14 link; is that your position?

15 A. I don't remember whether I clicked on
16 the 24th or the 28th, but I do know that I only
17 clicked on the Jessamine map one time.

18 Q. Which map is the Jessamine map in
19 the --

20 A. I have not -- I'm sorry. Go ahead.

21 Q. Yeah, which map is the Jessamine map
22 that you said is in this booklet?

23 A. I don't know that Jessamine is in this
24 booklet. I think Wren and Palmetto are.

25 Jessamine I don't think -- I think that